

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

-vs-

AARON MICHAEL SHAMO, et al.,
Defendants.

2:16-CR-631 DK

BEFORE THE HONORABLE DALE KIMBALL

DATE: AUGUST 16, 2019

REPORTER'S TRANSCRIPT OF PROCEEDINGS

CROSS EXAMINATION OF MARIO NOBLE

Reporter: REBECCA JANKE, CSR, RPR, RMR
(801) 521-7238

A P P E A R A N C E S

FOR THE PLAINTIF UNITED STATE'S ATTORNEY'S OFFICE

BY: MICHAEL GADD, ESQ.

VERNON G. STEJSKAL, ESQ.

KENT A. BURGGRAAF, ESQ.

111 SOUTH MAIN STREET, 1800

SALT LAKE CITY, UTAH 84111

FOR THE DEFENDANT: SKORDAS & CSTON, LLC

BY: GREGORY G. SKORDAS, ESQ.

KAYTLIN V. BECKETT, ESQ.

560 SOUTH 300 EAST, 225

SALT LAKE CITY, UTAH 84111

DARYL P. SAM, PLLC

BY: DARYL P. SAM, ESQ.

5955 SOUTH REDWOOD ROAD, 102

SALT LAKE CITY, UTAH 84123

1 AUGUST 16, 2019

SALT LAKE CITY, UTAH

2 P R O C E E D I N G S

3 * * *

4 THE COURT: Is there some question we need to
08:32:26 5 talk about?

6 MR. STEJSKAL: Your Honor, following the
7 testimony yesterday, I was approached by Mr. Crandall's
8 father, and Mr. Crandall's father informed me that he
9 recognized one of the jurors from having worked together
08:32:46 10 at the LDS Church in some capacity many years ago. I
11 think he said five, seven, nine years ago. He said they
12 were not friends outside of work. They weren't even close
13 at work. The juror had never met Drew Crandall, but he
14 just wanted to let us know, and I wanted to let the Court
08:33:05 15 know that there was -- he did inform me of that.

16 THE COURT: Okay. Anybody think that's an issue,
17 a problem?

18 MR. SKORDAS: I don't think it's an issue, Your
19 Honor.

08:33:14 20 THE COURT: Obviously the juror -- the father is
21 not a witness and so the juror didn't know him, and
22 Crandall is not that unusual a name.

23 MR. SKORDAS: Right.

24 THE COURT: I don't think it's a problem. And
08:33:30 25 neither of you do?

1 MR. SKORDAS: Correct.

2 MR. STEJSKAL: Correct, Your Honor.

3 THE COURT: Thank you, though, for bringing it to
4 the Court's attention. The jury is here and we're ready
08:33:40 5 to proceed, correct?

6 MR. GADD: Yes.

7 MR. SKORDAS: Yes, Your Honor.

8 THE CLERK: All rise.

9 (Whereupon the jury enters the courtroom.)

08:35:32 10 THE COURT: Good morning again, ladies and
11 gentlemen of the jury. Well, we've almost got through
12 another week.

13 Mr. Sam, you may proceed with your cross
14 examination.

08:35:44 15 MR. SAM: All right. Thank you.

16 CROSS EXAMINATION

17 BY MR. SAM:

18 Q. Mr. Noble, good morning. Appreciate your coming
19 back this morning to finish up here.

08:35:51 20 If we could start off where are we left off with
21 the government's direct and go to Exhibit 23.05. If you
22 could pull that up.

23 And you remember this document from yesterday,
24 I'm sure?

08:36:20 25 A. Yes.

1 Q. Okay. And you're aware of it. And if we could
2 go -- highlight the two counts. And I think it's just on
3 the first page there -- that you plead to. So, as you
4 remember, you plead to conspiracy to distribute Fentanyl
08:36:37 5 and conspiracy to distribute Alprazolam?

6 A. Yes.

7 Q. Is that correct? And you understood what the
8 penalties, potential penalties for those were?

9 A. When I plead guilty, yes.

08:36:49 10 Q. To what you plead guilty to?

11 A. Yes.

12 Q. Okay. And then if we could go to the last page,
13 second to the last page of the 23.05 and then the sealed
14 addendum. Yeah.

08:37:05 15 So, at the bottom of that, it was your
16 understanding that, by pleading to those charges, that you
17 would not be charged with the death-resulting count; is
18 that correct?

19 A. That is correct.

08:37:16 20 Q. Okay.

21 And then, if we could go to paragraph 11 in the
22 23.05. And I think that's page 3 or 4. Page 3. Okay,
23 yeah.

24 In paragraph 11, there is -- what you agreed to
08:37:44 25 your involvement in this operation; is that correct? Is

1 that your understanding?

2 A. Yes.

3 Q. Okay. And if I could have you read that, and
4 maybe we'll pause as you go through that, but starting in
08:37:58 5 February, 2016, will you read that.

6 A. In February, 2016, I was contacted by Aaron Shamo
7 in Utah who expressed to me his desire for me to become
8 the backbone of a store in Alpha Bay, a Dark Net
9 marketplace. Shamo recruited me to be in charge of
08:38:19 10 customer service and processing orders of various
11 controlled substances, including alprazolam tablets and
12 pills marked with oxycodone but which contained fentanyl.
13 Aaron Shamo created a profile for me, Dr. Wario, and gave
14 me partial access to Pharma-Master, Aaron Shamo's store on
08:38:36 15 Alpha Bay.

16 My access allowed me to process orders and
17 correspond with customers as Pharma-Master, but I had no
18 access to the BitCoins or other account rights. I
19 continued to provide these services during 2016.
08:38:49 20 Eventually I was unable to keep up with the demands of my
21 assignment, so Aaron Shamo hired another person whose name
22 I learned was Drew to help with my responsibilities.

23 Q. And if I could pause right there. You stated
24 that you were -- had the assignment of customer service
08:39:06 25 and that there was some point that somebody else came on,

1 is that right?

2 A. That's correct.

3 Q. Whose name you learned was Drew; is that right?

4 A. That is correct.

08:39:13 5 Q. And how did you learn that?

6 A. Through a conversation with Shamo.

7 Q. Okay. At what point was that? Do you
8 remember -- in I think in your testimony yesterday you
9 stated that you -- you weren't told by Shamo that Drew was
08:39:27 10 involved?

11 A. I was told that Drew Crandall was not involved.

12 Q. Okay. Okay. So there's a distinguishment there.
13 You were told that somebody by the name of Drew was
14 involved?

08:39:38 15 A. Correct. I asked him -- two Drew's that I knew
16 that he knew. I asked him if it was those two gentlemen,
17 and he told me no.

18 Q. Okay. And that was your testimony. He told you
19 no, that it was --

08:39:49 20 A. It wasn't Drew Crandall, and it wasn't the other
21 Drew that we both knew.

22 Q. So it was your understanding that there was a
23 Drew that you were not familiar with?

24 A. Correct.

08:39:58 25 Q. Is that correct? So the identity of that other

1 person you did not know, you just had the name Drew, who
2 was not Drew Crandall or the other individual that you
3 both knew?

4 A. That's correct.

08:40:10 5 Q. Okay. And then, if you'll keep reading.

6 A. I stopped working for Pharma-Master for a short
7 time, but when my expenses mounted in October, 2016, I
8 contacted Aaron Shamo and again asked for work. Aaron
9 Shamo said that the other customer support person had been
08:40:27 10 falling behind and agreed to hire me part-time. For my
11 part-time work, Aaron Shamo paid me \$800 every two weeks.
12 I worked part-time for Pharma-Master until the store was
13 shut down in November 2016. When I worked for
14 Pharma-Master, part of my daily duties included pulling
08:40:51 15 together a list of customers, their mailing addresses, and
16 the types and quantities of drugs they ordered. Once I
17 created the list, I would send it to a -- send it in an
18 encrypted form through an email account Aaron Shamo
19 created for me to co-conspirators who were responsible for
08:41:09 20 packaging the orders, affixing mailing labels and postage.

21 During the time period I worked for
22 Pharma-Master, I processed thousands of customer service
23 responses for both tablets containing Alprazolam and pills
24 containing fentanyl. I processed customer service
08:41:28 25 responses for much more than 400 grams of fentanyl.

1 Q. Okay. And I'll stop you there. So there's a --
2 there's a line through orders in that paragraph, correct?

3 A. Correct.

4 Q. And you changed that to customer service
08:41:40 5 responses?

6 A. That was my main responsibility, yes.

7 Q. Okay. So that was your main responsibility, but
8 you were a part of the orders, too; is that correct?

9 A. I did ask -- or I did process some of the orders,
08:41:51 10 yeah.

11 Q. Okay. So you were -- in your testimony
12 yesterday, there was testimony that you gave that you sent
13 the orders to the shippers, correct, and encrypted email?

14 A. Correct.

08:42:03 15 Q. Okay. So -- so, the customer service responses
16 was just changed because that was your main -- your main
17 duty with the organization; is that right?

18 A. To correspond with the amounts listed in that
19 statement, the customer service responses was more
08:42:19 20 applicable.

21 Q. Okay. When it says thousands?

22 A. Correct.

23 Q. Right. Okay. So how many orders did you
24 process? Not thousands, I guess? Is that why it changed?

08:42:29 25 A. Yeah. I couldn't tell you an exact number now,

1 but it wasn't that many, no.

2 Q. Okay. All right. Thank you. And then if
3 you'll finish the last paragraph?

4 A. My co-conspirators and I each had a role to play,
08:42:41 5 and we relied upon on each other to meet our common
6 objective, to earn money by selling drugs. I knowingly
7 and voluntarily involved myself with Pharma-Master and my
8 co-conspirators. It was my free choice to do so.

9 Q. Okay. And that's why you're here today, because
08:42:53 10 you -- you plead to -- you have taken responsibility,
11 correct?

12 A. Correct.

13 Q. And you understand the gravity of the situation.
14 The penalty for conspiracy to distribute fentanyl is a
08:43:09 15 ten-year minimum mandatory, maximum life. You understand
16 that?

17 A. I do.

18 Q. Okay.

19 A. Like I said yesterday, it was one of the worst
08:43:16 20 decisions I made in my life, but I did make the decision,
21 yes.

22 Q. Right. Now, if we could -- if we could go to
23 Exhibit 15.06, and I believe this was your email sent box;
24 is that correct, as you look at that?

08:43:35 25 A. Yes.

1 Q. Okay. And so these emails were what you used to
2 send to the shippers when you did process an order; is
3 that correct?

4 A. That's correct.

08:43:47 5 Q. Okay. And if we could -- if we could go to page
6 50 and 51 -- or the bottom of 50, first, very bottom
7 there. There was -- this was dated June 7 when you sent
8 an email to the shippers, right? Passthepeas were if the
9 shippers, correct?

08:44:09 10 A. Correct.

11 Q. Okay. And then if we could go to page 51 at the
12 top, down to the attachment. Yes.

13 So -- so this is a continuation of that page, and
14 it -- the attachment, what does that read?

08:44:25 15 A. Are you asking where it says attachments at the
16 bottom?

17 Q. Right.

18 A. So 6-6.txt.

19 Q. And what did that mean 6-6?

08:44:36 20 A. That would have been the date.

21 Q. Okay. So 6/6. And what year was this?

22 A. 2016.

23 Q. Okay. And were you aware of what orders were
24 encrypted in this email?

08:44:46 25 A. I mean, I was the one that compiled them and

1 encrypted it, so yeah.

2 Q. Okay. So you had it printed out and encrypted it
3 and sent it?

4 A. Yeah. I had a soft copy, yeah.

08:44:58 5 Q. Okay. Are you aware that there is an order in
6 there that the government is claiming a death resulted as
7 a result of a shipment made from this organization?

8 A. I did not know that.

9 Q. You didn't know that. Okay. But you knew you
08:45:08 10 could be charged with that?

11 A. When?

12 Q. When you negotiated your deal with the
13 government, you knew that you could be charged with a
14 death-resulting count?

08:45:18 15 A. I was under the understanding that, with the
16 plea, that I would not be charged with that.

17 Q. Correct. Correct. That's why you entered the
18 plea; is that right?

19 A. Correct. Part of the reason, but yeah.

08:45:30 20 Q. Right. And if there was -- the government is
21 claiming a death-resulting count against Mr. Shamo on this
22 order. And you participated in this order; is that
23 right?

24 A. That's correct.

08:45:41 25 Q. Correct. Right? And so -- and by pleading

1 today, you avoided that charge?

2 A. Correct.

3 Q. Okay. Thank you. If we could. I did want to
4 ask you a couple of questions about this candy laced drug
08:46:03 5 business and about how that came about. And I think you
6 testified that it was in January of 2016 or so that that
7 was being talked about or discussed. Can you tell me a
8 little bit more about that, how that came about?

9 A. Yeah. So when Shamo originally approached me, he
08:46:23 10 stated that he wanted to get a second store started on
11 Alpha Bay but that he wanted somebody else to be the
12 primary runner, manager of it. So essentially my job
13 duties would have been to manage the sales and do customer
14 service and to process the orders. And then he would be
08:46:40 15 the one supplying the product.

16 Q. Okay. And was that something that was mutual
17 between the both of you, that you were both kind of
18 excited about that?

19 A. At the time, when he approached me and, you know,
08:46:53 20 we talked about the amount of money and stuff that could
21 be made from it, it was something that I wanted to move
22 forward with.

23 Q. Okay. And you were quite excited about that,
24 right, in the discussions and the -- with Mr. Shamo?

08:47:07 25 A. I don't know if I would use the word "excited,"

1 but I was willing to move forward.

2 Q. Right. Right. And that's how it started as far
3 as getting on the Tor browser and getting involved with
4 the Dark Net --

08:47:20 5 A. Correct.

6 Q. -- with this business, correct?

7 A. That's right.

8 Q. And then it didn't -- it didn't turn into
9 anything, correct?

08:47:28 10 A. Nothing at all.

11 Q. Okay. If we could go to Exhibit 17.08, pull that
12 up.

13 And do you recognize this document?

14 A. I do?

08:47:45 15 Q. Okay. And what is?

16 A. Most of it is the canned responses that I had for
17 customer service requests.

18 Q. Okay. And who created this list?

19 A. Who did? I did.

08:47:56 20 Q. You did. Okay. And that was part of your
21 responsibilities of customer service for the organization;
22 is that correct?

23 A. Correct. My responsibility was to respond to
24 customer requests, and I felt the most efficient way to do
08:48:07 25 that was to create canned responses since we were getting

1 a lot of the same questions.

2 Q. Okay. And that kind of made your job easier,
3 correct? You would get a complaint, and you would have a
4 list of responses, and you could just plug those in?

08:48:21 5 A. Correct.

6 Q. Is that correct? Okay. And there -- I believe
7 there's about five pages here, four or five pages of
8 responses. Does that sound right?

9 A. Yeah. There was a good number of them.

08:48:33 10 Q. There was quite a bit. Okay.

11 And if we could go to page 2 and go to the
12 response of: How much Fent?

13 If we could do that one down to: Thanks, PM.

14 Yeah. So if you'll read this one.

08:48:49 15 A. We understand, being sure to know what you are
16 purchasing -- yeah. We understand being sure to know what
17 you're purchasing, unfortunately we do not discuss our
18 formula or processes for many reasons. We would say that
19 the effects of one of our Fent Roxies is equal to the
08:49:07 20 effects of a 30 milligram Roxy. Hope this helps. Thanks.
21 PM.

22 Q. Okay. Now, again, so this helps you respond to
23 complaints or questions that you received from customers,
24 correct?

08:49:20 25 A. Correct.

1 Q. Okay. And how did this canned response -- how
2 was that created?

3 A. I mean, I was getting questions about how much
4 Fent was in each pill and what the effects were and things
08:49:32 5 like that, so I reached out to Shamo because I had no idea
6 the process of the making the pills or anything like that,
7 so I asked him, and this was essentially his response, was
8 that we don't talk about the formula or the process. And
9 I took what he said and put a customer service spin on it
08:49:50 10 and created this canned response.

11 Q. Okay. So you asked Mr. Shamo, "How do we respond
12 to this, what's the formula?"

13 Because people were asking you, right?

14 A. Correct.

08:49:59 15 Q. What's the formula? And Mr. Shamo's response
16 was, "We don't want to give specifics," basically; is that
17 correct?

18 A. Yeah. He didn't want someone to take his formula
19 and start using it as their own.

08:50:11 20 Q. Okay. And so even though you never got a formula
21 from Mr. Shamo --

22 A. No.

23 Q. -- is that right? Okay. And is it possible that
24 Mr. Shamo, himself didn't have the formula?

08:50:23 25 A. I don't think so.

1 Q. Okay. You believe he did have the formula?

2 A. Yeah. I mean, I saw the pill presses in his
3 house. He was telling me that he was pressing the pills
4 from those. You know, the context of that, I would assume
08:50:37 5 that he was the one doing it.

6 Q. As far as you know, you never saw a formula?

7 A. I didn't.

8 Q. And you don't know if Mr. Shamo was actually
9 putting that formula together or who may have put that
08:50:50 10 formula together; is that correct?

11 A. That's correct.

12 Q. You have no idea. Your involvement with the
13 formula was basically getting questions from the
14 customers?

08:50:58 15 A. And giving them this response.

16 Q. And then going to Mr. Shamo and Mr. Shamo telling
17 you, "Just tell them it's equal to the effect of a 30
18 milligram Roxy."

19 A. Correct.

08:51:14 20 Q. Correct? If we could go to Exhibit 14.15 and
21 just the first page of that.

22 What is this page here? Do you recognize this
23 from yesterday?

24 A. I believe this would have been the first time
08:51:33 25 that Shamo and I had communicated on Telegram.

1 Q. Okay. And, in general, right? This was
2 Telegram. These were your Telegram messages, correct?

3 A. Correct.

4 Q. I think it was your testimony yesterday that when
08:51:47 5 you were arrested at eBay or taken in for questioning at
6 eBay on November 22, that you were alerted by your
7 co-workers that Homeland Security was at the front desk
8 looking for you; is that right?

9 A. That is correct.

08:52:03 10 Q. And on your way down or in the process of coming
11 to meet them, you deleted this; is that right?

12 A. That is correct.

13 Q. Okay. So I'm curious here, just wondering, how
14 did the government get this information when you deleted
08:52:20 15 it?

16 A. From what I understand, this is Shamo's side.

17 Q. Okay. So this is Shamo's. Yours was not
18 recovered, correct?

19 A. Correct.

08:52:27 20 Q. Okay. So this was -- yours was deleted, correct?

21 A. That's right.

22 Q. If we would go to page 43 of this document.

23 And there's -- this is all communication between
24 you and Mr. Shamo, right, texting back and forth.

08:52:43 25 And if we could go to the bottom of: I just put

1 in 12 hours today.

2 So, this response here from Mr. Shamo, "I put in
3 a 12-hour today pressing and filling orders and getting
4 stuff locally," was that common for Mr. Shamo to be
08:53:07 5 saying, "I'm working hard here. I'm really busy and I'm
6 trying to get product out." Or --

7 A. At the beginning, yeah.

8 Q. Okay.

9 A. Once he kind of diversified, like it seemed like
08:53:21 10 he had more people involved, it seemed like he had a lot
11 more free time.

12 Q. Okay. So maybe at the first, when you first got
13 involved, it was pretty common for him to be --

14 A. Doing a lot.

08:53:32 15 Q. -- putting in long days and working hard. Okay.
16 And as far as others involved, you said at first that he
17 didn't -- he mentioned the name Drew, but he didn't -- he
18 didn't tell you Drew Crandall, correct?

19 A. I didn't know anybody else that was involved, but
08:53:49 20 we had had conversations about him expanding his
21 business.

22 Q. Okay. And maybe bringing others on?

23 A. Correct. But I just never knew their -- who they
24 were.

08:53:59 25 Q. Right. And at the conversations of bringing

1 others on, too, you were involved in actively
2 participating with having drops made to other individuals,
3 friends of yours, correct?

4 A. Correct.

08:54:11 5 Q. And not individuals that knew Mr. Shamo?

6 A. Correct.

7 Q. Right. They were yours. In fact you -- you were
8 kind of a middleman between Mr. Bruner and Kayla. What
9 was Kayla's last name?

08:54:27 10 A. Kayla was Bruner. It was Jordan Burnell.

11 Q. Jordan Burnell, yeah. And they were your
12 friends, correct?

13 A. That is correct.

14 Q. And you kind of insulated them from Mr. Shamo; is
08:54:42 15 that fair to say?

16 A. He asked for drops. He asked me to be a drop,
17 and I told him I didn't want stuff going to my mom's
18 house, but I could talk to people and see if I could
19 recruit people to work under me, kind of like an MLM, if
08:54:56 20 you will.

21 Q. Okay. Not necessarily insulating them, but you
22 were kind of a middleman?

23 A. Right.

24 Q. Okay. But you did want to protect them, correct?

08:55:05 25 A. Of course.

1 Q. And you didn't want them too involved. In fact,
2 you have conversations on this text, on the Telegram with
3 Mr. Shamo about nothing illegal is being dropped at my
4 friends house, correct?

08:55:19

5 A. Yeah.

6 Q. It was just filler, right?

7 A. That's what he was telling me, yeah.

8 Q. You were kind of wanting to make -- you wanted to
9 make that clear, that you didn't want illegal material

08:55:31

10 going to your friends' houses?

11 A. Right.

12 Q. Okay. As far as Telegram, too, that's something
13 that you used before, right? It wasn't -- Mr. Shamo
14 didn't introduce you to Telegram; is that right?

08:55:49

15 A. Right.

16 Q. Who introduced you to Telegram?

17 A. Sasha Grant.

18 Q. Okay. Sasha. And you knew Sasha from how long?

19 A. Six years ago.

08:55:58

20 Q. Okay. So --

21 A. We were together a long time ago.

22 Q. So you knew Sasha before you knew Drew Crandall
23 or before you knew Aaron Shamo; is that right?

24 A. That is correct.

08:56:06

25 Q. Okay. And it was several years before that she

1 introduced you to Telegram; is that right?

2 A. That's right.

3 Q. Okay. In fact, I think in your Grand Jury
4 testimony you said that you used that with Drew Crandall
08:56:17 5 as well, right?

6 A. I had communicated with him, yeah.

7 Q. And as far as your use of marijuana, that's
8 something you communicated through -- with Drew
9 Crandall?

08:56:26 10 A. That's correct. That's how I originally had
11 downloaded Telegram was to communicate with him to pick up
12 marijuana, yeah.

13 Q. Right. Okay. And then, as far as Luke Paz, did
14 that name ever -- you socialized with Luke Paz, correct?

08:56:46 15 A. When I was around Shamo, Luke was around a lot,
16 yeah.

17 Q. Okay. And so did Mr. Shamo ever mention the name
18 of Luke Paz as being part of this organization?

19 A. He did not.

08:56:56 20 Q. Okay. It was kind of like Drew Crandall, right?
21 He never -- that name never came up as far as being
22 involved in this operation?

23 A. Yeah. It sounds like my name was the only one
24 that he told people.

08:57:10 25 Q. You felt like he was throwing your name around?

1 A. Correct.

2 Q. I mean, that was true with the shippers as well;
3 is that correct?

4 A. That's what it sounds like.

08:57:24 5 Q. Okay. So, on the day that he got arrested, you
6 got a message from either Drew Crandall or Sasha Grant; is
7 that right?

8 A. You said the day that he got arrested?

9 Q. I'm sorry. The day he got arrested, the day that
08:57:38 10 you got questioned?

11 A. Correct. And, yes, I did get a message.

12 Q. Okay. And who was that from?

13 A. Sasha Grant.

14 Q. Sasha Grant. And in what format -- she didn't
08:57:48 15 send you a Telegram, I guess?

16 A. No. It was over Snapchat.

17 Q. Okay. So it was over a common social media site.
18 Okay. And did you respond to that?

19 A. I did not.

08:57:59 20 Q. Okay. And why didn't you respond?

21 A. I was with lawyers at the time, and they told me
22 not to.

23 Q. Okay. So did you suspect, at that time, that
24 Sasha knew something?

08:58:13 25 A. Yeah.

1 Q. But before that, you had no idea; is that
2 correct?

3 A. No idea of what?

4 Q. That Sasha would have any connection with this?

08:58:24 5 A. Well, like she had told me previously, back in --
6 toward the end of 2015, kind of before I got involved with
7 Shamo, that there was stuff going on with Drew and
8 Shamo.

9 Q. Okay. So there was -- there may have been some
08:58:40 10 indication that Drew Crandall was still involved?

11 A. Not still involved, no.

12 Q. Okay. So -- so, Sasha contacting you, did that
13 give you an indication that maybe Drew was involved, then,
14 again?

08:58:59 15 A. No.

16 Q. Okay. So it wasn't uncommon for you to get a
17 message from Sasha, then?

18 A. It seemed like a pretty tight friend group, so
19 for her to be messaging me the day that Shamo got picked
08:59:17 20 up was not a surprise to me because I'm sure there were
21 people that she knew that had heard that Shamo had gotten
22 picked up and had spread the word.

23 Q. Okay. So, as far as you know, in your
24 involvement in this, Mr. Shamo was the base of this
08:59:42 25 organization; is that correct?

1 A. That's correct.

2 Q. And if there were others that were instructing
3 Mr. Shamo, you would not know?

4 A. I would not.

08:59:51 5 Q. All right. So, as far as Burnell and Bruner, you
6 as a middleman, you gained financially from that; is that
7 correct?

8 A. I did.

9 Q. And how much did you make?

09:00:35 10 A. It was 150 per package.

11 Q. And approximately how many drops did you do?

12 A. I can recall three to four.

13 Q. I think in your Grand Jury testimony you said
14 that you did about nine with one and three with another.

09:00:57 15 Does that sound right?

16 A. That's not what I remember.

17 Q. Okay. So maybe you misunderstood when you were
18 in front of the Grand Jury?

19 A. It's possible. I also remember -- I don't
09:01:08 20 remember, rather, how the packages were paid for, if that
21 makes sense, because I remember there were multiple boxes
22 that came in one shipment, and I'm not sure how much Shamo
23 actually paid me for that.

24 Q. There may have been a discount if three or four
09:01:26 25 packages came at once or something?

1 A. Possible.

2 Q. You just don't remember; is that right?

3 A. That's right.

4 Q. Okay. So there may have been a total of --

09:01:34 5 A. Of nine packages.

6 Q. -- 9 to 12 packages themselves, but only four or
7 five actual transfers?

8 A. Right. Transfers is a good word. Yeah.

9 Q. Okay. Okay. Can you tell us who else you
09:01:55 10 communicated with, with Telegram to Mr. Shamo?
11 Mr. Crandall, you've mentioned?

12 A. The other person that I remember is Kelly
13 McGraff.

14 Q. Kelly McGraff?

09:02:06 15 A. Correct.

16 Q. Okay. And is that the only other person?

17 A. That's the only person I can recall.

18 Q. Okay. And what was the purpose of communicating
19 with Kelly McGraff through Telegram?

09:02:16 20 A. I was organizing picking up MDMA.

21 Q. Okay. So transfer of drugs?

22 A. Correct.

23 Q. Okay. And as far as drug use goes, you were
24 using drugs during this while you were performing the
09:02:40 25 duties of Mr. Shamo and during this period of time; is

1 that correct?

2 A. Yeah.

3 Q. In fact, you had asked Mr. Shamo for some drugs
4 or some --

09:02:48 5 A. That's how it all started, yeah.

6 Q. And so that's something you participated in. You
7 did get questioned on November 22, correct?

8 A. Uh-huh. Yes.

9 Q. Okay. And -- and then you were later indicted in
09:03:05 10 May of 2016; is that right?

11 A. It would have been May of 2017.

12 Q. Or 2017. Correct.

13 A. But yes.

14 Q. Right. And at that point, you went before a
09:03:17 15 Judge, and you asked to be released, right, and there was
16 a chance that you might be detained at that point?

17 A. Correct.

18 Q. Okay. But you weren't -- you didn't spend a
19 night in jail on November 22. You didn't go to jail when
09:03:31 20 you came back on the Indictment in May of 2017; is that
21 right?

22 A. That's right.

23 Q. Okay. And so you haven't spent a night in jail
24 on this case; is that correct?

09:03:42 25 A. That's correct.

1 Q. Okay. And as far as drug use goes, when you came
2 on your Indictment, you were released. You were on what
3 was called pretrial release; is that right?

4 A. That is correct.

09:03:56 5 Q. Okay. And under that pretrial release, you had
6 certain conditions to meet; is that right, and maintain,
7 correct?

8 A. That is correct.

9 Q. Okay. And have you been able to maintain those
09:04:08 10 conditions?

11 A. Not all of them.

12 Q. Okay. What conditions have you not met?

13 A. I was requested to not use drugs.

14 Q. Okay. And you have failed on those conditions,
09:04:22 15 then?

16 A. That's correct.

17 Q. Okay. How many times?

18 A. A handful.

19 Q. Okay. Like more than ten?

09:04:36 20 A. Yeah.

21 Q. Okay. More than 15, or --

22 A. I did have possession of a THC pen, so I did use
23 that, but, yes, more than 15 times, yes.

24 Q. So you have been working with the probation
09:04:54 25 office on that; is that right?

1 A. That is correct.

2 Q. Okay. And you haven't been back in court to
3 question your detention because of that?

4 A. I have not.

09:05:02 5 Q. All right. You have been able to work that out
6 with your probation officer?

7 A. Correct.

8 Q. Okay. And as you sit here today, are you
9 impaired?

09:05:12 10 A. I am not.

11 Q. Okay. So you're of sound mind, and yesterday as
12 well; is that correct?

13 A. That is correct.

14 Q. Okay.

09:05:23 15 I have no further questions.

16 THE COURT: Thank you, Mr. Sam.

17 Mr. Gadd, you may redirect.

18 MR. GADD: Nothing further. Thank you, Your
19 Honor.

09:05:36 20 THE COURT: Thank you. You can step down,
21 Mr. Noble, and you can be excused.

22

23

24

25 (Whereupon the testimony was completed.)

1
2 REPORTER'S CERTIFICATE

3 STATE OF UTAH)
4) ss.
5 COUNTY OF SALT LAKE)
6

7 I, REBECCA JANKE, do hereby certify that I am a
8 Certified Court Reporter for the State of Utah;

9 That as such Reporter I attended the hearing of
10 the foregoing matter on August 18, 2019, and thereat
11 reported in Stenotype all of the testimony and proceedings
12 had, and caused said notes to be transcribed into
13 typewriting, and the foregoing pages numbered 1 through 29
14 constitute a full, true and correct record of the
15 proceedings transcribed.

16 That I am not of kin to any of the parties and
17 have no interest in the outcome of the matter;

18 And hereby set my hand and seal this 18th day of
19 December, 2019.
20
21
22
23

24 _____
25 REBECCA JANKE, CSR, RPR, RMR